

IN THE CIRCUIT COURT FOR MONTGOMERY COUNTY, MARYLAND

MICHELLE TYLER-SIMMS  
Individually  
And as Parent and Next Friend of  
SUMMER TYLER-SIMMS, Minor  
804 Blake Drive  
Forest Hill, MD 21050

Plaintiffs

vs.

Case No.

VINEYARD VINES RETAIL, LLC  
37 Brown House Road  
Stamford, CT 06902

SERVE: Registered Agent:  
Cogency Global Inc.  
250 Browns Hill Court  
Midlothian, VA 23114-9510

Defendants

COMPLAINT

Plaintiff, by and through counsel, sues the Defendant and for a cause of action alleges as follows:

1. Plaintiff Michelle Tyler-Simms is an adult citizen of the United States and a resident of Harford County, Maryland.
2. Plaintiff, Summer Tyler-Simms, is a minor citizen of the United States and a resident of the Harford County, Maryland; she is the minor daughter of Michelle Tyler-Simms.
3. Vineyard Vines Retail, LLC is a Limited Liability Company doing business in Leesburg, Virginia at all times hereinafter mentioned.
4. Vineyard Vines Retail, LLC does business in Montgomery County, Maryland operating a retail operation at 7101 Democracy Boulevard, Bethesda, Maryland 20817

deriving economic benefits from Montgomery County, Maryland.

5. On or about August 4, 2018, Plaintiff, Michelle Tyler-Simms and her minor daughter, Plaintiff, Summer Tyler-Simms were business invitees at the Vineyard Vines Retail, LLC retail store located at 241 Fort Evans Road NE, Suite 901C, Leesburg, Virginia.

6. This Court possesses personal jurisdiction over the Defendant Pursuant to Sections 6-102(a) and 6-103(b) of the Courts & Judicial Proceedings Article.

7. Venue is proper pursuant to Section 6-201 of the Courts & Judicial Proceedings Article.

### **COUNT I**

#### **(Michelle Tyler-Simms v. Vineyard Vines Retail, LLC)**

8. Plaintiffs' incorporate herein by reference the allegations contained in paragraphs one (1) through seven (7).

9. On August 4, 2018, Plaintiff, Michelle Tyler-Simms along with her minor daughter Summer Tyler-Simms were customers and a business invitee at an Vineyard Vines Retail, LLC located at 241 Fort Evans Rd NE, Leesburg, VA 20176 at the Leesburg Premium Outlets. While standing in an aisle at the Vineyard Vines, a picture frame fell off a shelf and struck the Plaintiffs causing serious injuries as a direct result of this incident. The Plaintiff, Michelle Tyler-Sims was at all times in the exercise of due care and in no way contributed to the incident.

10. At the time of the picture falling and striking Plaintiff Michelle Tyler-Simms, Defendant owed the Plaintiff, Michelle Tyler-Simms, a duty to use ordinary care in maintaining the premises under its control in a reasonably safe condition. This duty included, but was not limited to, inspecting, maintaining and repairing the premises. This duty further required the

Defendant to correct any dangerous and defective conditions which existed on the subject premises and to warn persons such as the Plaintiff, Michelle Tyler-Simms, of any dangerous and defective conditions of which it was aware or which it reasonably should have been aware.

11. Defendant breached these duties when, with full knowledge, it allowed an unstable object to hang and be displayed from a wall on Defendant's premises thereby exposing Plaintiff, Michelle Tyler-Simms, to a dangerous and defective condition. The Defendant further breached these duties by failing to warn the Plaintiff of the dangerous and defective condition which existed on the premises.

12. As a direct and proximate consequence of Defendant's breaches of duty, Plaintiff, Michelle Tyler-Simms, sustained serious and grievous personal injuries, some of which are permanent in nature. In addition, she has and will continue to endure great pain and suffering of both body and mind, nervousness and anxiety; has and will continue to incur medical and out-of-pocket expenses; has lost and will continue to lose time, wages and benefits from her employment; and has and will be otherwise damaged in the future.

WHEREFORE, Plaintiff, Michelle Tyler-Simms, demands judgment against Defendant in an amount that exceeds SEVENTY-FIVE THOUSAND DOLLARS (\$75,000.00) for economic damages plus interest and costs.

## **COUNT II**

**(Michelle Tyler-Simms, as Parent and Next Friend of Summer Tyler-Simms, a  
minor v. Vineyard Vines Retail, LLC)**

13. Plaintiffs' incorporate herein by reference the allegations contained in paragraphs one (1) through twelve (12).

14. On August 4, 2018, Plaintiff, Michelle Tyler-Simms along with her minor

daughter Summer Tyler-Simms were customers and a business invitee at an Vineyard Vines Retail, LLC located at 241 Fort Evans Rd NE, Leesburg, VA 20176 at the Leesburg Premium Outlets. While standing in an aisle at the Vineyard Vines, a picture frame fell off a shelf and struck the Plaintiffs causing serious injuries as a direct result of this incident. The Plaintiff, Summer Tyler-Sims was at all times in the exercise of due care and in no way contributed to the incident.

15. At the time of the picture falling and striking Plaintiff Summer Tyler-Simms, Defendant owed the Plaintiff, Summer Tyler-Simms, a duty to use ordinary care in maintaining the premises under its control in a reasonably safe condition. This duty included, but was not limited to, inspecting, maintaining and repairing the premises. This duty further required the Defendant to correct any dangerous and defective conditions which existed on the subject premises and to warn persons such as the Plaintiff, Summer Tyler-Simms, of any dangerous and defective conditions of which it was aware or which it reasonably should have been aware.

16. Defendant breached these duties when, with full knowledge, it allowed an unstable object to hang and be displayed from a wall on Defendant's premises thereby exposing Plaintiff, Summer Tyler-Simms, to a dangerous and defective condition. The Defendant further breached these duties by failing to warn the Plaintiff of the dangerous and defective condition which existed on the premises.

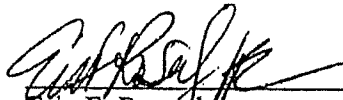
17. As a direct and proximate consequence of Defendant's breaches of duty, Plaintiff, Summer Tyler-Simms, sustained serious and grievous personal injuries, some of which are permanent in nature. In addition, she has and will continue to endure great pain and suffering of both body and mind, nervousness and anxiety; has and will continue to incur medical and out-of-pocket expenses; and has and will be otherwise damaged in the future.

WHEREFORE, Plaintiff, Michelle Tyler-Simms, as Parent and Next Friend of Summer Tyler-Simms, a Minor, demands judgment against Defendant in an amount that exceeds SEVENTY-FIVE THOUSAND DOLLARS (\$75,000.00) for economic damages plus interest and costs.

Respectfully submitted

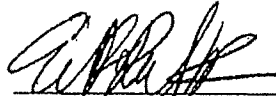
ROSENBERG & FAYNE LLP

By:

  
Eric F. Rosenberg  
CPF #9310160110  
5400 Kenilworth Avenue  
Riverdale, Maryland 20737  
(301) 864-2900  
erosenberg@rosenberg-fayne.com  
Attorney for the Plaintiff

JURY DEMAND

Plaintiffs' demand a trial by jury on all issues herein.

  
Eric F. Rosenberg, Esq.  
Attorney for Plaintiff

IN THE CIRCUIT COURT FOR Montgomery County

**CIVIL - NON-DOMESTIC CASE INFORMATION REPORT**

(City or County)

**DIRECTIONS**

**Plaintiff:** This Information Report must be completed and attached to the complaint filed with the Clerk of Court unless your case is exempted from the requirement by the Chief Judge of the Court of Appeals pursuant to Rule 2-111(a).

**Defendant:** You must file an Information Report as required by Rule 2-323(h).

**THIS INFORMATION REPORT CANNOT BE ACCEPTED AS A PLEADING**

FORM FILED BY: <input checked="" type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT		CASE NUMBER _____
CASE NAME: <u>Michelle Tyler-Simms, et al</u> <small>Plaintiff</small>		vs. <u>Vineyard Vines Retail, LLC</u> <small>(Clerk to insert) Defendant</small>
PARTY'S NAME: <u>Michelle Tyler-Simms</u>		
PARTY'S ADDRESS: <u>804 Blake Drive, Forest Hill, MD 21050</u>		PHONE: _____ <small>(Daytime phone)</small>
PARTY'S E-MAIL: _____		
If represented by an attorney:		
PARTY'S ATTORNEY'S NAME: <u>Eric F. Rosenberg</u>		PHONE: <u>301-864-2900</u>
PARTY'S ATTORNEY'S ADDRESS: <u>5400 Kenilworth Avenue, Riverdale Park, MD 20737</u>		
PARTY'S ATTORNEY'S E-MAIL: <u>erosenberg@rosenberg-fayne.com</u>		
JURY DEMAND? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
RELATED CASE PENDING? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, Case #(s), if known: _____		
ANTICIPATED LENGTH OF TRIAL: _____ hours or <u>2</u> days		

**PLEADING TYPE**

New Case: ☒ Original ☐ Administrative Appeal ☐ Appeal  
 Existing Case: ☐ Post-Judgment ☐ Amendment  
 If filing in an existing case, skip Case Category/ Subcategory section - go to Relief section.

**IF NEW CASE: CASE CATEGORY/SUBCATEGORY (Check one box.)**

<b>TORTS</b> <input type="checkbox"/> Asbestos <input type="checkbox"/> Assault and Battery <input type="checkbox"/> Business and Commercial <input type="checkbox"/> Conspiracy <input type="checkbox"/> Conversion <input type="checkbox"/> Defamation <input type="checkbox"/> False Arrest/Imprisonment <input type="checkbox"/> Fraud <input type="checkbox"/> Lead Paint - DOB of Youngest Plt: _____ <input type="checkbox"/> Loss of Consortium <input type="checkbox"/> Malicious Prosecution <input type="checkbox"/> Malpractice-Medical <input type="checkbox"/> Malpractice-Professional <input type="checkbox"/> Misrepresentation <input checked="" type="checkbox"/> Motor Tort <input type="checkbox"/> Negligence <input type="checkbox"/> Nuisance <input type="checkbox"/> Premises Liability <input type="checkbox"/> Product Liability <input type="checkbox"/> Specific Performance <input type="checkbox"/> Toxic Tort <input type="checkbox"/> Trespass <input type="checkbox"/> Wrongful Death <b>CONTRACT</b> <input type="checkbox"/> Asbestos <input type="checkbox"/> Breach <input type="checkbox"/> Business and Commercial <input type="checkbox"/> Confessed Judgment (Cont'd) <input type="checkbox"/> Construction <input type="checkbox"/> Debt <input type="checkbox"/> Fraud	<input type="checkbox"/> Government <input type="checkbox"/> Insurance <input type="checkbox"/> Product Liability <b>PROPERTY</b> <input type="checkbox"/> Adverse Possession <input type="checkbox"/> Breach of Lease <input type="checkbox"/> Detinue <input type="checkbox"/> Distress/Distrain <input type="checkbox"/> Ejectment <input type="checkbox"/> Forcible Entry/Detainer <input type="checkbox"/> Foreclosure <input type="checkbox"/> Commercial <input type="checkbox"/> Residential <input type="checkbox"/> Currency or Vehicle <input type="checkbox"/> Deed of Trust <input type="checkbox"/> Land Installments <input type="checkbox"/> Lien <input type="checkbox"/> Mortgage <input type="checkbox"/> Right of Redemption <input type="checkbox"/> Statement Condo <input type="checkbox"/> Forfeiture of Property / Personal Item <input type="checkbox"/> Fraudulent Conveyance <input type="checkbox"/> Landlord-Tenant <input type="checkbox"/> Lis Pendens <input type="checkbox"/> Mechanic's Lien <input type="checkbox"/> Ownership <input type="checkbox"/> Partition/Sale in Lieu <input type="checkbox"/> Quiet Title <input type="checkbox"/> Rent Escrow <input type="checkbox"/> Return of Seized Property <input type="checkbox"/> Right of Redemption <input type="checkbox"/> Tenant Holding Over	<b>PUBLIC LAW</b> <input type="checkbox"/> Attorney Grievance <input type="checkbox"/> Bond Forfeiture Remission <input type="checkbox"/> Civil Rights <input type="checkbox"/> County/Mncpl Code/Ord <input type="checkbox"/> Election Law <input type="checkbox"/> Eminent Domain/Condemn. <input type="checkbox"/> Environment <input type="checkbox"/> Error Coram Nobis <input type="checkbox"/> Habeas Corpus <input type="checkbox"/> Mandamus <input type="checkbox"/> Prisoner Rights <input type="checkbox"/> Public Info. Act Records <input type="checkbox"/> Quarantine/Isolation <input type="checkbox"/> Writ of Certiorari <b>EMPLOYMENT</b> <input type="checkbox"/> ADA <input type="checkbox"/> Conspiracy <input type="checkbox"/> EEO/HR <input type="checkbox"/> FLSA <input type="checkbox"/> FMLA <input type="checkbox"/> Workers' Compensation <input type="checkbox"/> Wrongful Termination <b>INDEPENDENT PROCEEDINGS</b> <input type="checkbox"/> Assumption of Jurisdiction <input type="checkbox"/> Authorized Sale <input type="checkbox"/> Attorney Appointment <input type="checkbox"/> Body Attachment Issuance <input type="checkbox"/> Commission Issuance	<input type="checkbox"/> Constructive Trust <input type="checkbox"/> Contempt <input type="checkbox"/> Deposition Notice <input type="checkbox"/> Dist Ct Mtn Appeal <input type="checkbox"/> Financial <input type="checkbox"/> Grand Jury/Petit Jury <input type="checkbox"/> Miscellaneous <input type="checkbox"/> Perpetuate Testimony/Evidence <input type="checkbox"/> Prod. of Documents Req. <input type="checkbox"/> Receivership <input type="checkbox"/> Sentence Transfer <input type="checkbox"/> Set Aside Deed <input type="checkbox"/> Special Adm. - Atty <input type="checkbox"/> Subpoena Issue/Quash <input type="checkbox"/> Trust Established <input type="checkbox"/> Trustee Substitution/Removal <input type="checkbox"/> Witness Appearance-Compel <b>PEACE ORDER</b> <input type="checkbox"/> Peace Order <b>EQUITY</b> <input type="checkbox"/> Declaratory Judgment <input type="checkbox"/> Equitable Relief <input type="checkbox"/> Injunctive Relief <input type="checkbox"/> Mandamus <b>OTHER</b> <input type="checkbox"/> Accounting <input type="checkbox"/> Friendly Suit <input type="checkbox"/> Grantor in Possession <input type="checkbox"/> Maryland Insurance Administration <input type="checkbox"/> Miscellaneous <input type="checkbox"/> Specific Transaction <input type="checkbox"/> Structured Settlements
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**IF NEW OR EXISTING CASE: RELIEF (Check All that Apply)**

- |  |   |  |   |
|--|---|--|---|
| <input type="checkbox"/> Abatement                       | <input type="checkbox"/> Earnings Withholding   | <input type="checkbox"/> Judgment-Interest           | <input type="checkbox"/> Return of Property     |
| <input type="checkbox"/> Administrative Action           | <input type="checkbox"/> Enrollment             | <input type="checkbox"/> Judgment-Summary            | <input type="checkbox"/> Sale of Property       |
| <input type="checkbox"/> Appointment of Receiver         | <input type="checkbox"/> Expungement            | <input checked="" type="checkbox"/> Liability        | <input type="checkbox"/> Specific Performance   |
| <input type="checkbox"/> Arbitration                     | <input type="checkbox"/> Findings of Fact       | <input type="checkbox"/> Oral Examination            | <input type="checkbox"/> Writ-Error Coram Nobis |
| <input type="checkbox"/> Asset Determination             | <input type="checkbox"/> Foreclosure            | <input type="checkbox"/> Order                       | <input type="checkbox"/> Writ-Execution         |
| <input type="checkbox"/> Attachment b/f Judgment         | <input type="checkbox"/> Injunction             | <input type="checkbox"/> Ownership of Property       | <input type="checkbox"/> Writ-Garnish Property  |
| <input type="checkbox"/> Cease & Desist Order            | <input type="checkbox"/> Judgment-Affidavit     | <input type="checkbox"/> Partition of Property       | <input type="checkbox"/> Writ-Garnish Wages     |
| <input type="checkbox"/> Condemn Bldg                    | <input type="checkbox"/> Judgment-Attorney Fees | <input type="checkbox"/> Peace Order                 | <input type="checkbox"/> Writ-Habeas Corpus     |
| <input type="checkbox"/> Contempt                        | <input type="checkbox"/> Judgment-Confessed     | <input type="checkbox"/> Possession                  | <input type="checkbox"/> Writ-Mandamus          |
| <input type="checkbox"/> Court Costs/Fees                | <input type="checkbox"/> Judgment-Consent       | <input type="checkbox"/> Production of Records       | <input type="checkbox"/> Writ-Possession        |
| <input checked="" type="checkbox"/> Damages-Compensatory | <input type="checkbox"/> Judgment-Declaratory   | <input type="checkbox"/> Quarantine/Isolation Order  |   |
| <input type="checkbox"/> Damages-Punitive                | <input type="checkbox"/> Judgment-Default       | <input type="checkbox"/> Reinstatement of Employment |   |

If you indicated *Liability* above, mark one of the following. This information is not an admission and may not be used for any purpose other than Track Assignment.

- ☐ Liability is conceded.    ☒ Liability is not conceded, but is not seriously in dispute.    ☐ Liability is seriously in dispute.

**MONETARY DAMAGES (Do not include Attorney's Fees, Interest, or Court Costs)**

- ☐ Under \$10,000      ☐ \$10,000 - \$30,000      ☒ \$30,000 - \$100,000      ☐ Over \$100,000
- ☐ Medical Bills \$ 31,157+      ☐ Wage Loss \$ tbd      ☐ Property Damages \$ \_\_\_\_\_

**ALTERNATIVE DISPUTE RESOLUTION INFORMATION**

Is this case appropriate for referral to an ADR process under Md. Rule 17-101? (Check all that apply)

- A. Mediation    ☐ Yes    ☒ No      C. Settlement Conference    ☐ Yes    ☒ No  
 B. Arbitration    ☐ Yes    ☒ No      D. Neutral Evaluation    ☐ Yes    ☒ No

**SPECIAL REQUIREMENTS**

- ☐ If a Spoken Language Interpreter is needed, check here and attach form CC-DC-041
- ☐ If you require an accommodation for a disability under the Americans with Disabilities Act, check here and attach form CC-DC-049

**ESTIMATED LENGTH OF TRIAL**

*With the exception of Baltimore County and Baltimore City, please fill in the estimated LENGTH OF TRIAL.*

*(Case will be tracked accordingly)*

- ☐ 1/2 day of trial or less      ☐ 3 days of trial time  
☐ 1 day of trial time      ☐ More than 3 days of trial time  
☒ 2 days of trial time

**BUSINESS AND TECHNOLOGY CASE MANAGEMENT PROGRAM**

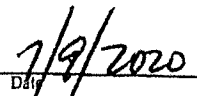
*For all jurisdictions, if Business and Technology track designation under Md. Rule 16-205 is requested, attach a duplicate copy of complaint and check one of the tracks below.*

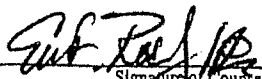
- ☐ Expedited - Trial within 7 months of Defendant's response      ☐ Standard - Trial within 18 months of Defendant's response

**EMERGENCY RELIEF REQUESTED**



COMPLEX SCIENCE AND/OR TECHNOLOGICAL CASE MANAGEMENT PROGRAM (ASTAR)	
<p><i>FOR PURPOSES OF POSSIBLE SPECIAL ASSIGNMENT TO ASTAR RESOURCES JUDGES under Md. Rule 16-202, attach a duplicate copy of complaint and check whether assignment to an ASTAR is requested.</i></p> <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <div style="text-align: center;"> <input type="checkbox"/> <b>Expedited</b> - Trial within 7 months of Defendant's response         </div> <div style="text-align: center;"> <input type="checkbox"/> <b>Standard</b> - Trial within 18 months of Defendant's response         </div> </div>	
<p><b>IF YOU ARE FILING YOUR COMPLAINT IN BALTIMORE CITY OR BALTIMORE COUNTY, PLEASE FILL OUT THE APPROPRIATE BOX BELOW.</b></p>	
<p><b>CIRCUIT COURT FOR BALTIMORE CITY (CHECK ONLY ONE)</b></p>	
<input type="checkbox"/> Expedited <input type="checkbox"/> Civil-Short <input type="checkbox"/> Civil-Standard <input type="checkbox"/> Custom <input type="checkbox"/> Asbestos <input type="checkbox"/> Lead Paint <input type="checkbox"/> Tax Sale Foreclosures <input type="checkbox"/> Mortgage Foreclosures	Trial 60 to 120 days from notice. Non-jury matters. Trial 210 days from first answer. Trial 360 days from first answer. Scheduling order entered by individual judge. Special scheduling order. Fill in: Birth Date of youngest plaintiff _____ Special scheduling order. No scheduling order.
<p><b>CIRCUIT COURT FOR BALTIMORE COUNTY</b></p>	
<input type="checkbox"/> Expedited (Trial Date-90 days)  <input type="checkbox"/> Standard (Trial Date-240 days)  <input type="checkbox"/> Extended Standard (Trial Date-345 days)  <input type="checkbox"/> Complex (Trial Date-450 days)	Attachment Before Judgment, Declaratory Judgment (Simple), Administrative Appeals, District Court Appeals and Jury Trial Prayers, Guardianship, Injunction, Mandamus.  Condemnation, Confessed Judgments (Vacated), Contract, Employment Related Cases, Fraud and Misrepresentation, International Tort, Motor Tort, Other Personal Injury, Workers' Compensation Cases.  Asbestos, Lender Liability, Professional Malpractice, Serious Motor Tort or Personal Injury Cases (medical expenses and wage loss of \$100,000, expert and out-of-state witnesses (parties), and trial of five or more days), State Insolvency.  Class Actions, Designated Toxic Tort, Major Construction Contracts, Major Product Liabilities, Other Complex Cases.

  
 Date  
 5400 Kenilworth Avenue  
 Address  
 Riverdale Park, MD 20737  
 City, State, Zip

  
 Signature of Counsel / Party  
 Eric F. Rosenberg CPF9312160110  
 Printed Name



Circuit Court for Montgomery County, Maryland  
50 Maryland Avenue  
Rockville, Maryland 20850


ADMINISTRATIVE NOTICE

You have received the attached notice and/or Order of the Court from the Circuit Court for Montgomery County.

Due to the COVID-19 pandemic, many court proceedings are being held remotely. This means it is possible that your court appearance may be by telephone or videoconference.

If you are represented by an attorney, please contact him or her to determine whether you need to personally appear in court.

If you are not represented by an attorney, please contact the Montgomery County Circuit Court Assignment Office at 240-777-9000 to determine whether your personal appearance is required at the courthouse on the day(s) in question. Please be sure the Court is provided with an email address and/or telephone number where you can be reached.

  
Robert A. Greenberg,  
County Administrative Judge

IN THE CIRCUIT COURT FOR \_\_\_\_\_

(City or County)

**CIVIL - NON-DOMESTIC CASE INFORMATION REPORT****DIRECTIONS**

**Plaintiff:** This Information Report must be completed and attached to the complaint filed with the Clerk of Court unless your case is exempted from the requirement by the Chief Judge of the Court of Appeals pursuant to Rule 2-111(a).

**Defendant:** You must file an Information Report as required by Rule 2-323(h).

**THIS INFORMATION REPORT CANNOT BE ACCEPTED AS A PLEADING**

FORM FILED BY: ☐ PLAINTIFF ☐ DEFENDANT CASE NUMBER 482753-V  
(Clerk to insert)

CASE NAME: \_\_\_\_\_ vs. \_\_\_\_\_  
Plaintiff Defendant

PARTY'S NAME: \_\_\_\_\_ PHONE: \_\_\_\_\_

PARTY'S ADDRESS: \_\_\_\_\_

PARTY'S E-MAIL: \_\_\_\_\_

If represented by an attorney:

PARTY'S ATTORNEY'S NAME: \_\_\_\_\_ PHONE: \_\_\_\_\_

PARTY'S ATTORNEY'S ADDRESS: \_\_\_\_\_

PARTY'S ATTORNEY'S E-MAIL: \_\_\_\_\_

JURY DEMAND? ☐ Yes ☐ No

RELATED CASE PENDING? ☐ Yes ☐ No If yes, Case #(s), if known: \_\_\_\_\_

ANTICIPATED LENGTH OF TRIAL?: \_\_\_\_\_ hours \_\_\_\_\_ days

**PLEADING TYPE**

New Case: ☐ Original ☐ Administrative Appeal ☐ Appeal

Existing Case: ☐ Post-Judgment ☐ Amendment

If filing in an existing case, skip Case Category/ Subcategory section - go to Relief section.

**IF NEW CASE: CASE CATEGORY/SUBCATEGORY (Check one box.)****TORTS**

- ☐ Asbestos
- ☐ Assault and Battery
- ☐ Business and Commercial
- ☐ Conspiracy
- ☐ Conversion
- ☐ Defamation
- ☐ False Arrest/Imprisonment
- ☐ Fraud
- ☐ Lead Paint - DOB of Youngest Plt: \_\_\_\_\_
- ☐ Loss of Consortium
- ☐ Malicious Prosecution
- ☐ Malpractice-Medical
- ☐ Malpractice-Professional
- ☐ Misrepresentation
- ☐ Motor Tort
- ☐ Negligence
- ☐ Nuisance
- ☐ Premises Liability
- ☐ Product Liability
- ☐ Specific Performance
- ☐ Toxic Tort
- ☐ Trespass
- ☐ Wrongful Death

**CONTRACT**

- ☐ Asbestos
- ☐ Breach
- ☐ Business and Commercial
- ☐ Confessed Judgment
- (Cont'd)
- ☐ Construction
- ☐ Debt
- ☐ Fraud

☐ Government

- ☐ Insurance
- ☐ Product Liability

**PROPERTY**

- ☐ Adverse Possession
- ☐ Breach of Lease
- ☐ Detinue
- ☐ Distress/Distrain
- ☐ Ejectment
- ☐ Forcible Entry/Detainer
- ☐ Foreclosure
- ☐ Commercial
- ☐ Residential
- ☐ Currency or Vehicle
- ☐ Deed of Trust
- ☐ Land Installments
- ☐ Lien
- ☐ Mortgage
- ☐ Right of Redemption
- ☐ Statement Condo
- ☐ Forfeiture of Property / Personal Item
- ☐ Fraudulent Conveyance
- ☐ Landlord-Tenant
- ☐ Lis Pendens
- ☐ Mechanic's Lien
- ☐ Ownership
- ☐ Partition/Sale in Lieu
- ☐ Quiet Title
- ☐ Rent Escrow
- ☐ Return of Seized Property
- ☐ Right of Redemption
- ☐ Tenant Holding Over

**PUBLIC LAW**

- ☐ Attorney Grievance
- ☐ Bond Forfeiture Remission
- ☐ Civil Rights
- ☐ County/Mncpl Code/Ord
- ☐ Election Law
- ☐ Eminent Domain/Condemn.
- ☐ Environment
- ☐ Error Coram Nobis
- ☐ Habeas Corpus
- ☐ Mandamus
- ☐ Prisoner Rights
- ☐ Public Info. Act Records
- ☐ Quarantine/Isolation
- ☐ Writ of Certiorari

**EMPLOYMENT**

- ☐ ADA
- ☐ Conspiracy
- ☐ EEO/HR
- ☐ FLSA
- ☐ FMLA
- ☐ Workers' Compensation
- ☐ Wrongful Termination

**INDEPENDENT PROCEEDINGS**

- ☐ Assumption of Jurisdiction
- ☐ Authorized Sale
- ☐ Attorney Appointment
- ☐ Body Attachment Issuance
- ☐ Commission Issuance

☐ Constructive Trust

- ☐ Contempt
- ☐ Deposition Notice
- ☐ Dist Ct Mtn Appeal
- ☐ Financial
- ☐ Grand Jury/Petit Jury
- ☐ Miscellaneous
- ☐ Perpetuate Testimony/Evidence
- ☐ Prod. of Documents Req.
- ☐ Receivership
- ☐ Sentence Transfer
- ☐ Set Aside Deed
- ☐ Special Adm. - Atty
- ☐ Subpoena Issue/Quash
- ☐ Trust Established
- ☐ Trustee Substitution/Removal
- ☐ Witness Appearance-Compel

**PEACE ORDER**

☐ Peace Order

**EQUITY**

- ☐ Declaratory Judgment
- ☐ Equitable Relief
- ☐ Injunctive Relief
- ☐ Mandamus

**OTHER**

- ☐ Accounting
- ☐ Friendly Suit
- ☐ Grantor in Possession
- ☐ Maryland Insurance Administration
- ☐ Miscellaneous
- ☐ Specific Transaction
- ☐ Structured Settlements

IF NEW OR EXISTING CASE: RELIEF (Check All that Apply)			
<input type="checkbox"/> Abatement <input type="checkbox"/> Administrative Action <input type="checkbox"/> Appointment of Receiver <input type="checkbox"/> Arbitration <input type="checkbox"/> Asset Determination <input type="checkbox"/> Attachment b/f Judgment <input type="checkbox"/> Cease & Desist Order <input type="checkbox"/> Condemn Bldg <input type="checkbox"/> Contempt <input type="checkbox"/> Court Costs/Fees <input type="checkbox"/> Damages-Compensatory <input type="checkbox"/> Damages-Punitive	<input type="checkbox"/> Earnings Withholding <input type="checkbox"/> Enrollment <input type="checkbox"/> Expungement <input type="checkbox"/> Findings of Fact <input type="checkbox"/> Foreclosure <input type="checkbox"/> Injunction <input type="checkbox"/> Judgment-Affidavit <input type="checkbox"/> Judgment-Attorney Fees <input type="checkbox"/> Judgment-Confessed <input type="checkbox"/> Judgment-Consent <input type="checkbox"/> Judgment-Declaratory <input type="checkbox"/> Judgment-Default	<input type="checkbox"/> Judgment-Interest <input type="checkbox"/> Judgment-Summary <input type="checkbox"/> Liability <input type="checkbox"/> Oral Examination <input type="checkbox"/> Order <input type="checkbox"/> Ownership of Property <input type="checkbox"/> Partition of Property <input type="checkbox"/> Peace Order <input type="checkbox"/> Possession <input type="checkbox"/> Production of Records <input type="checkbox"/> Quarantine/Isolation Order <input type="checkbox"/> Reinstatement of Employment	<input type="checkbox"/> Return of Property <input type="checkbox"/> Sale of Property <input type="checkbox"/> Specific Performance <input type="checkbox"/> Writ-Error Coram Nobis <input type="checkbox"/> Writ-Execution <input type="checkbox"/> Writ-Garnish Property <input type="checkbox"/> Writ-Garnish Wages <input type="checkbox"/> Writ-Habeas Corpus <input type="checkbox"/> Writ-Mandamus <input type="checkbox"/> Writ-Possession
<p><i>If you indicated Liability above, mark one of the following. This information is <u>not</u> an admission and may not be used for any purpose other than Track Assignment.</i></p> <p><input type="checkbox"/> Liability is conceded.   <input type="checkbox"/> Liability is not conceded, but is not seriously in dispute.   <input type="checkbox"/> Liability is seriously in dispute.</p>			
MONETARY DAMAGES (Do not include Attorney's Fees, Interest, or Court Costs)			
<input type="checkbox"/> Under \$10,000 <input type="checkbox"/> \$10,000 - \$30,000 <input type="checkbox"/> \$30,000 - \$100,000 <input type="checkbox"/> Over \$100,000			
<input type="checkbox"/> Medical Bills \$ _____ <input type="checkbox"/> Wage Loss \$ _____ <input type="checkbox"/> Property Damages \$ _____			
ALTERNATIVE DISPUTE RESOLUTION INFORMATION			
<p>Is this case appropriate for referral to an ADR process under Md. Rule 17-101? (Check all that apply)</p> <p>A. Mediation     <input type="checkbox"/> Yes     <input type="checkbox"/> No     C. Settlement Conference     <input type="checkbox"/> Yes     <input type="checkbox"/> No  B. Arbitration     <input type="checkbox"/> Yes     <input type="checkbox"/> No     D. Neutral Evaluation     <input type="checkbox"/> Yes     <input type="checkbox"/> No</p>			
SPECIAL REQUIREMENTS			
<input type="checkbox"/> If a Spoken Language Interpreter is needed, check here and attach form CC-DC-041 <input type="checkbox"/> If you require an accommodation for a disability under the Americans with Disabilities Act, check here and attach form CC-DC-049			
ESTIMATED LENGTH OF TRIAL			
<p><i>With the exception of Baltimore County and Baltimore City, please fill in the estimated LENGTH OF TRIAL.</i>  <i>(Case will be tracked accordingly)</i></p> <p style="text-align: center;"> <input type="checkbox"/> 1/2 day of trial or less     <input type="checkbox"/> 3 days of trial time  <input type="checkbox"/> 1 day of trial time     <input type="checkbox"/> More than 3 days of trial time  <input type="checkbox"/> 2 days of trial time </p>			
BUSINESS AND TECHNOLOGY CASE MANAGEMENT PROGRAM			
<p><i>For all jurisdictions, if Business and Technology track designation under Md. Rule 16-308 is requested, attach a duplicate copy of complaint and check one of the tracks below.</i></p> <p style="text-align: center;"> <input type="checkbox"/> Expedited- Trial within 7 months of Defendant's response     <input type="checkbox"/> Standard - Trial within 18 months of Defendant's response </p>			
EMERGENCY RELIEF REQUESTED			

COMPLEX SCIENCE AND/OR TECHNOLOGICAL CASE MANAGEMENT PROGRAM (ASTAR)	
<p><i>FOR PURPOSES OF POSSIBLE SPECIAL ASSIGNMENT TO ASTAR RESOURCES JUDGES under Md. Rule 16-302, attach a duplicate copy of complaint and check whether assignment to an ASTAR is requested.</i></p> <p style="text-align: center;"> <input type="checkbox"/> Expedited - Trial within 7 months of Defendant's response           <span style="margin-left: 100px;"><input type="checkbox"/> Standard - Trial within 18 months of Defendant's response</span> </p>	
<p><b>IF YOU ARE FILING YOUR COMPLAINT IN BALTIMORE CITY, OR BALTIMORE COUNTY, PLEASE FILL OUT THE APPROPRIATE BOX BELOW.</b></p>	
CIRCUIT COURT FOR BALTIMORE CITY (CHECK ONLY ONE)	
<input type="checkbox"/> Expedited <input type="checkbox"/> Civil-Short <input type="checkbox"/> Civil-Standard <input type="checkbox"/> Custom <input type="checkbox"/> Asbestos <input type="checkbox"/> Lead Paint <input type="checkbox"/> Tax Sale Foreclosures <input type="checkbox"/> Mortgage Foreclosures	Trial 60 to 120 days from notice. Non-jury matters. Trial 210 days from first answer. Trial 360 days from first answer. Scheduling order entered by individual judge. Special scheduling order. Fill in: Birth Date of youngest plaintiff _____ Special scheduling order. No scheduling order.
CIRCUIT COURT FOR BALTIMORE COUNTY	
<input type="checkbox"/> Expedited (Trial Date-90 days)  <input type="checkbox"/> Standard (Trial Date-240 days)  <input type="checkbox"/> Extended Standard (Trial Date-345 days)  <input type="checkbox"/> Complex (Trial Date-450 days)	Attachment Before Judgment, Declaratory Judgment (Simple), Administrative Appeals, District Court Appeals and Jury Trial Prayers, Guardianship, Injunction, Mandamus.  Condemnation, Confessed Judgments (Vacated), Contract, Employment Related Cases, Fraud and Misrepresentation, International Tort, Motor Tort, Other Personal Injury, Workers' Compensation Cases.  Asbestos, Lender Liability, Professional Malpractice, Serious Motor Tort or Personal Injury Cases (medical expenses and wage loss of \$100,000, expert and out-of-state witnesses (parties), and trial of five or more days), State Insolvency.  Class Actions, Designated Toxic Tort, Major Construction Contracts, Major Product Liabilities, Other Complex Cases.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Address

\_\_\_\_\_  
City

\_\_\_\_\_  
State

\_\_\_\_\_  
Zip Code

\_\_\_\_\_  
Signature of Counsel / Party

\_\_\_\_\_  
Printed Name